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RCASIMIR JONES S.C.TO: *Examiner Hartley* 10-364114

FAX NO.: 571.273.0616

FROM: *Robert A. Goetz* Reg No. 55,210DATE: 8.2.07  
Pages (including cover): 7TIME: \_\_\_\_\_  
Client Code: UM-08192

\*\*\*\*\*  
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\*\*\*\*\*

## MESSAGE:

*Per your conversation with  
Rob, please see the attached  
response to Office Action mailed  
January 03, 2007.*

*kindest regards,  
Jennifer B. Heaton*

Patent, Trademark and Copyright Attorneys

\*\*\*\*\*

440 Science Drive, Suite 203 ★ Madison, Wisconsin 53711 ★ T: 608.218.6900 F: 608.218.6910

Serial No.: 10/364,114

MC File No.: LIM-08192

RAG/  
By  
JBX

In The Matter of the Application Of: Gary D. Glick

Date Mailed: 1-2-07

Due Date: 1-19-07

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Design Patent Application _____ Pages          | <input type="checkbox"/> Trademark Application _____                                     | <input type="checkbox"/> PCT Application _____ Pages   |
| <input type="checkbox"/> Plant Patent Application _____ Pages           | <input type="checkbox"/> ITU Trademark Application _____                                 | <input type="checkbox"/> Parent Appln.: _____  |
| <input type="checkbox"/> Prov. Patent Application _____ Pages           | <input type="checkbox"/> Statement of Use _____  | <input type="checkbox"/> Chapter II Demand _____   |
| <input type="checkbox"/> Utility Patent Application _____ Pages         | <input type="checkbox"/> Trademark Renewal Application _____                             | <input type="checkbox"/> Authorization of Agent _____  |
| <input type="checkbox"/> DIV <input type="checkbox"/> CONT              | <input type="checkbox"/> Section 8 & 15 Affidavits _____                                 | <input checked="" type="checkbox"/> Transmittal Letter <input checked="" type="checkbox"/> Duplicate |
| <input type="checkbox"/> CIP <input type="checkbox"/> CPA               | <input type="checkbox"/> Specimens _____   | <input checked="" type="checkbox"/> Certificate of Mailing _____                                     |
| <input type="checkbox"/> U.S. Nat'l. Entry <input type="checkbox"/> RCE | <input type="checkbox"/> Declaration/Oath/Affidavits _____                               | <input type="checkbox"/> Cert. of Express Mailing Label No.: _____                                   |
| <input type="checkbox"/> Information Disclosure Statement _____         | <input checked="" type="checkbox"/> Drawings: _____ Sheet(s)                             | <input type="checkbox"/> Check(s): \$ _____  |
| <input type="checkbox"/> Form PTO-1449 w/ _____ Refs.                   | <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal <b>4B-8</b> | <input checked="" type="checkbox"/> Deposit Account Auth. No.: 08-1290                               |
| <input type="checkbox"/> Form PTO-1533 (Not of Missing Parts)           | <input type="checkbox"/> Power of Attorney _____   | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Certificate Rec. Sequence Listing              | <input type="checkbox"/> Form PTO-1594/1595 _____  | <input checked="" type="checkbox"/> <u>Replacement Sheet</u>   |
| <input type="checkbox"/> Sequence Listing (Paper Copy and CRF)          | <input type="checkbox"/> Assignment _____  | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Req. Under 37 CFR 1.821(a) to Use CRF          | <input type="checkbox"/> Small Entity Declaration _____                                  | <input type="checkbox"/> _____   |
| from Prior Appln.   | <input type="checkbox"/> Amendment/Response _____  | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Form PTOL-85B (Issue Fee Transmittal)          | <input type="checkbox"/> Extension of Time Req.: _____ Month(s)                          | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Advance Order: _____ Copies                    | <input type="checkbox"/> Notice of Appeal _____  | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Form PTO-1050 (Cert. of Correction)            | <input type="checkbox"/> Appeal Brief _____  | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Maintenance Fee Transmittal Form               | <input type="checkbox"/> Petition _____  | <input type="checkbox"/> _____   |

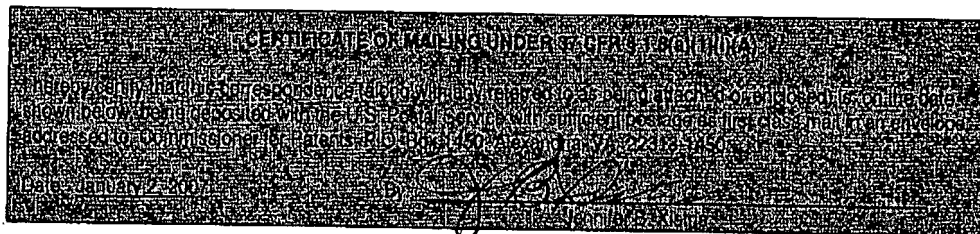
**PATENT**  
Attorney Docket No.: **UM-08192**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Gary D. Glick**  
Serial No.: **10/634,114**  
Filed: **08/04/2003**  
Entitled: **Compositions and Methods Relating to Novel Compounds and Targets Thereof**  
Group No.: **1618**  
Examiner: **Kim, Vickie Y.**

**TRANSMITTAL TO OFFICE COMMUNICATION MAILED**  
**12/19/2006**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Sir or Madam:

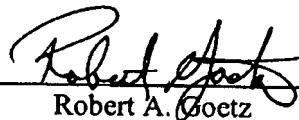
In response to the Office Communication mailed 12/19/2006 (a copy of which is enclosed), applicant(s) submit(s) the following document

- Replacement Drawings in compliance with 37 CFR §§ 1.84 and 1.121 (Figures 4B-8).

Applicants believe that no fee is due at this time:

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s), and/or credit any overpayment, to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: January 2, 2007



Robert A. Goetz  
Registration No. 55,210

**MEDLEN & CARROLL, LLP**  
101 Howard Street, Suite 305  
San Francisco, California 94105  
608/218-6900

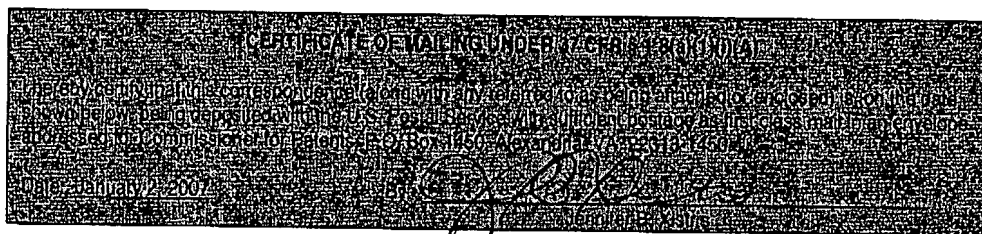
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Dated: January 2, 2007

Robert A. Goetz  
Registration No. 55,210

**MEDLEN & CARROLL, LLP**  
101 Howard Street, Suite 305  
San Francisco, California 94105  
608/218-6900



# UNITED STATES PATENT AND TRADEMARK OFFICE

**UNITED STATES DEPARTMENT OF COMMERCE**  
 United States Patent and Trademark Office  
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MAD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,114	08/04/2003	Gary D. Glick	UM-08192	6392
7590 David A. Casimir MEDLEN & CARROLL, LLP Suite 350 101 Howard Street San Francisco, CA 94105		<div style="border: 2px solid black; padding: 5px; transform: rotate(-5deg); display: inline-block;"> <b>RECEIVED</b>          DEC 26 2006          MEDLEN &amp; CARROLL       </div>		
		<div style="border: 1px solid black; padding: 2px; text-align: center;">EXAMINER</div> KIM, VICKIE Y		
		<div style="display: flex; justify-content: space-between; border: 1px solid black; padding: 2px;"> <span>ART UNIT</span> <span>PAPER NUMBER</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>1618</span> </div>		
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
30 DAYS	12/19/2006	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

*Resp. 1/19/07rw*

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10/634114

Applicant(s)

Examiner

Kim, Vickie

Art Unit

1618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 12-4-06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

## **THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☒ 3. Amendments to the drawings:
  - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☒ C. Other FIG. 4B-8
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officflyer.pdf>.

## **TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Nichole Peterson  
Legal Instruments Examiner (LIE)

571 272-7273  
Telephone No.

U.S. Patent and Trademark Office  
PTOL-324 (08-05)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Part of Paper No.

## "Replacement Sheet"

## FIG. 4B-8

helicase-moi	BF590131	2.21
Consensus includes gb:R06655 /FEA=EST /DB_XREF=gi:757275		
/DB_XREF=est:yf10e02.r1 /CLONE=IMAGE:126458		
/UG=Hs.188518 ESTs, Moderately similar to AF078844 1 hqp0376		
protein H.sapiens	R06655	2.21
hypothetical protein FLJ23311	NM_024680	2.21
xylulokinase (H. influenzae) homolog	AA777793	2.21
islet cell autoantigen 1 (69kD)	BC005922	2.20
Escherichia coli /REF=J04423 /DEF=E coli bioB gene biotin		
synthetase corresponding to nucleotides 2071-2304 of J04423		
/LEN=1114 (-5, -M, -3 represent transcript regions 5 prime, Middle,		
and 3 prime respectively)	J04423	2.20
degenerative spermatocyte homolog, lipid desaturase (Drosophila)	BC000961	2.20
high-mobility group 20B	BC002552	2.19
Consensus includes gb:A1984051 /FEA=EST		
/DB_XREF=gi:5811270 /DB_XREF=est:wt52h03.x1		
/CLONE=IMAGE:2511125 /UG=Hs.11861 thyroid hormone		
receptor-associated protein, 240 kDa subunit /FL=gb:AF117754.1		
gb:Nm_005121.1	A1984051	2.19
Consensus includes gb:A1683552 /FEA=EST		
/DB_XREF=gi:4893734 /DB_XREF=est:tx67h02.x1		
/CLONE=IMAGE:2274675 /UG=Hs.201605 ESTs, Moderately		
similar to ALU8_HUMAN ALU SUBFAMILY SX SEQUENCE		
CONTAMINATION WARNING ENTRY H.sapiens	A1683552	2.19
Consensus includes gb:A1393960 /FEA=EST		
/DB_XREF=gi:4223507 /DB_XREF=est:tg11d04.x1		
/CLONE=IMAGE:2108455 /UG=Hs.274851 ESTs	A1393960	2.19
CGI-58 protein	NM_016006	2.19
PDZ domain containing guanine nucleotide exchange		
factor(GEF)1	AV654984	2.18
hypothetical protein FLJ12985	NM_024924	2.18
SHB adaptor protein (a Src homology 2 protein)	NM_003028	2.18
WNT1 inducible signaling pathway protein 3	AF143679	2.17
hypothetical protein FLJ20274	NM_017736	2.17
solute carrier family 16 (monocarboxylic acid transporters),		
member 7	NM_004731	2.17
Consensus includes gb:AA780524 /FEA=EST		
/DB_XREF=gi:2839855 /DB_XREF=est:ac71f01.s1		
/CLONE=IMAGE:868057 /UG=Hs.294072 ESTs, Weakly similar to		
ALU1_HUMAN ALU SUBFAMILY J SEQUENCE		
CONTAMINATION WARNING ENTRY H.sapiens	AA780524	2.17
hypothetical protein FLJ12619	BG252842	2.17
M10098 Human 18S rRNA gene, complete (-5, -M, -3 represent		
transcript regions 5 prime, Middle, and 3 prime respectively)	M10098	2.17
J04423 E coli bioC protein (-5 and -3 represent transcript regions		
5 prime and 3 prime respectively)	J04423	2.17
coat protein gamma-cop	NM_016128	2.16
a disintegrin and metalloproteinase domain 17 (tumor necrosis		
factor, alpha, converting enzyme)	NM_003183	2.16
ring finger protein 2	NM_007212	2.16